

REMARKS

The indication of allowable subject matter in claims 2, 3, 7, 9 and 11-13 is acknowledged and appreciated. In order to expedite issuance of the present application, claim 1 has been amended to incorporate the subject matter of claims 2 and 3 in the alternative, and claims 7 and 9 have been rewritten into independent form. Accordingly, claims 1-9 each contain allowable subject matter as set forth by the Examiner.

Claim 10 is the sole remaining rejected claim and stands rejected under 35 U.S.C. § 103 as being unpatentable over Slawson in view of Tanioka and Tachibana. This rejection is respectfully traversed for the following reasons.

Claim 10 recites in pertinent part, “a duty detection circuit for detecting the duty ratio of the output voltage of the I/V conversion circuit to feed back the detected duty ratio *to the bias circuit*” (emphasis added). One exemplary embodiment of the present invention is shown in Figure 11 of Applicants’ drawings, in which a exemplary duty detection circuit 61 detects the duty ratio of the output voltage of a I/V conversion circuit 24 and feeds back the detected duty ratio to the bias circuit 23. The Examiner admits that Slawson and Tanioka do not disclose or suggest a duty detection circuit. The Examiner therefore attempts to modify Slawson in view of Tanioka by incorporating therein the duty ratio detector 18 of Tachibana, *which feeds back to a comparator 17*. Accordingly, even assuming *arguendo* proper, the proposed combination would not disclose or suggest the claimed invention. Specifically, the proposed combination would at best suggest feeding back the detected duty ratio to the *comparator* of the combined device of Slawson in view of Tanioka. None of the cited prior art, alone or in combination, disclose or suggest feeding back a detected duty ratio *to a bias circuit* as set forth in claim 10.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard for establishing obviousness under § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claim 10 because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 10 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's

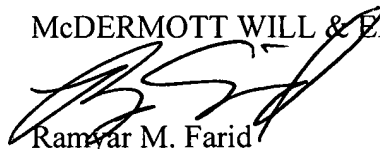
Application No.: 10/648,513

amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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